

October 22, 2015

Khan Consulting Inc.  
c/o Rodney V. Khan  
1111 North Brand Boulevard, Suite 403  
Glendale, CA 91202

**RE: 411 N. BRAND BOULEVARD, &  
121 WEST LEXINGTON DRIVE  
PARKING USE PERMIT NO. PPUP 1510037**

(SEE: PCUP 1510035)

Dear Mr. Khan:

On September 30, 2015, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.51, on your application for a Parking Use Permit to allow required parking spaces to be located off site from the subject tenant space for a proposed Private Specialized Education/Training School (acting school), in the "DSP/GAT" -Downtown Specific Plan/Gateway District. The subject properties are located at **411 North Brand Boulevard and 121 West Lexington Drive**, described as a portion of Lot 5, Block 11 of Glendale Boulevard Tract as per Map Recorded in Book 5, Page 167 of Maps in the Office of the Recorder of the County of Los Angeles; and Portion of Lot 1 and Lot 5, Tract 4230 as per Map Recorded in Book 46 page 31 of Maps in the Office of the Recorder of the County of Los Angeles; and, Portion of Lot 19 and Lots 20 and 21, Campbell Tract as per Maps Recorded in Book 9, Page 112 of Maps in the Office of the Recorder of the County of Los Angeles.

CODE REQUIRES

(1) Required parking is to be located on the same lot as the subject business.

APPLICANT'S PROPOSAL

(1) To allow required parking to be located on a different property then the subject tenant space; whereby the parking lot directly abuts the subject tenant space across the alley.

### ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review per State CEQA Guidelines Section 15301, Class 1 "Existing Facilities".

### **REQUIRED/MANDATED FINDINGS**

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

- 1. The off-site parking is a permitted or conditionally permitted use allowed within the applicable zoning district and complies with all of the applicable provisions of this Zoning Ordinance.**

The proposed private specialized education/training school is a permitted use in the DSP/GAT zone; however, since the use is located within the first 25 feet of the street frontage, approval of a conditional use permit is required. A conditional use permit (PCUP 1510035) is being processed concurrently with this application. The applicant is proposing to use off-site parking spaces within the parking structure located at 121 West Lexington Drive (no changes are proposed to the existing 281-space off-site parking lot). The subject tenant space and parking structure are zoned DSP in the Gateway District. Parking lots are permitted in this zone.

- 2. The off-site parking spaces are located within 1000 feet measured from the primary entrance to the site. The reviewing authority may approve off-site parking spaces with valet service or parking spaces for employees located more than 1000 feet from the primary entrance to the site where the separation remains reasonable for walking or pedestrian-oriented features of the intervening distance make walking between the two sites reasonable.**

The applicant requires a total of 54 parking spaces, which will be provided at the existing parking structure located at 121 West Lexington Drive. The off-site parking is directly abutting the tenant space to the west across the alley. The distance between the parking structure and the rear entrance to the subject tenant space is about 50 feet. The distance between the parking structure and the main entrance to the tenant space is approximately 650 feet.

- 3. The applicant shall provide evidence of a valid lease or a covenant satisfactory to the City Attorney. All leases subject to this provision shall have a minimum termination period of not less than ninety (90) days.**

The owner of the property and the subject tenant are one and the same. The

applicant will be required to record a covenant which reserves 54 parking spaces at the parking lot located at 121 West Lexington Drive for the private specialized education/training school use located at 411 North Brand Boulevard as long as this use is in existence.

- 4. The applicant has demonstrated that the off-site parking will be available to the use, and that no substantial conflict will exist in the principal hours or periods of peak parking demands of any uses which are proposed to share the parking.**

The proposed off-site parking lot located at 121 West Lexington Drive will provide 54 parking spaces out of 281 existing spaces. Parking within this structure will be available for the proposed use in addition to the parking spaces used by the existing office workers. There are 98 extra parking spaces at the subject structure that are above and beyond the code requirements.

- 5. Access to the site is adequate to accommodate the proposed off-site parking and any resulting excess traffic to the facility.**

The proposed off-site parking lot at 121 West Lexington Drive is located across the alley to the west of the subject tenant space. Ingress/egress to this structure is off of West Lexington Drive and West Milford Street. As previously mentioned, there are 98 extra parking spaces within the parking structure; therefore, adequate parking exists to support the proposed use. The Traffic and Transportation Division staff reviewed the proposed project and did not cite any concerns regarding the proposed off-site parking or traffic on the surrounding streets related to this proposed use utilizing this structure.

- 6. The design, location, size and operating characteristics of the proposed off-site parking are compatible with the existing and future land uses on-site and in the vicinity of the subject property;**

The off-site parking is proposed at 121 West Lexington Drive. The parking lot meets current zoning standards. Its design, location, size and operating characteristics are appropriate for the proposed private specialized education/training school and compatible with the surrounding and future land uses in the neighborhood.

- 7. The establishment, maintenance, or operation of the proposed parking at the location proposed does not endanger, jeopardize, or otherwise constitute a nuisance for persons residing or working in the neighborhood of the proposed parking lot or structure;**

The parking lot has been in existence for over 40 years and does not

constitute a nuisance to persons in the neighborhood nor is it detrimental to the public welfare. The site is zoned to allow parking lots. Similarly zoned parcels and uses exist throughout the neighborhood, particularly south of Lexington Drive between Brand Boulevard and the Orange Street. The parking lot will provide adequate parking to meet the demand of the proposed private specialized education/training school.

**8. Any off-site parking spaces in close proximity to residential uses must be designed and operated to comply with the City's noise requirements in Chapter 8.36 of the Municipal Code.**

The existing parking lot does not abut any residential uses. The parking structure has been in existence for over 40 years. The applicant will comply with the City's noise requirements. A condition will be included to ensure that the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing on properties in the area, and to effectively eliminate loitering, parking congestion and disturbing noise.

**9. Any proposed valet parking use will not generate excessive traffic on surrounding public streets and shall not utilize any residential street.**

No valet parking is proposed.

**10. For shared parking, different peak hour parking demands existing between the separate uses or a single trip is likely to be made to two or more of the businesses proposed to share the parking.**

The parking lot at 121 West Lexington Drive can accommodate the parking requirements for the proposed private specialized education/training school as well as the existing office uses located within the Hollywood Production campus. The parking lot currently has 98 extra parking spaces, above that required by code for the subject uses. Therefore, there will be no overlap in the demand of the parking spaces.

## **CONDITIONS OF APPROVAL**

**APPROVAL** of this Parking Use Permit shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Planning Hearing Officer.



2. That all necessary permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That the parking use permit is valid only insofar as the specific use for which it was granted or similar land use (as determined by the Planning Hearing Officer) is in operation. The permit runs with this specific land use as long as there is no intensification of the use or that other uses proposed will not require more parking as provided herein as determined by the Planning Hearing Officer.
4. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
5. That all necessary licenses as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
6. That any expansion or modification of the facility or use which intensifies the existing permit shall require a new Parking Use Permit approval application as determined by the Planning Hearing Officer, with concurrence by the Community Development Director.
7. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing on other nearby properties or otherwise making disturbances in the area.
8. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
9. That sufficient measures be enforced to effectively eliminate loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities.
10. That the parking area shall be kept adequately illuminated for security purposes during all hours of darkness. Lighting fixtures shall be installed and maintained in the parking area in those areas where street lights do not effectively illuminate the premises.
11. That a covenant shall be recorded, in the form acceptable to the City Attorney, which reserves unrestricted access to 54 parking spaces at the parking lot located at 121 West Lexington Drive for the benefit of the private specialized education/training school use, located at 411 North Band Boulevard as long as this use is in existence. The meaning of the term "in existence" and/or what will constitute the ground(s) for termination of the

covenant, along with any other salient terms, shall be set forth in detail in the covenant. Such covenant shall run with the land and be binding on any and all subsequent owners or successors-in-interest.

12. That the applicant shall comply with all applicable conditions of Conditional Use Permit Case No. PCUP 1510035.

### **APPEAL PERIOD**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires.

Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (COD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **November 6, 2015**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (COD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

**APPEAL FORMS available on-line:** <http://www.glendaleca.gov/appeal>

To save you time and a trip - please note that some of our FORMS are available on-line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

### **TRANSFERABILITY**

#### **GMC CHAPTER 30.41 PROVIDES FOR**

Termination: Every right or privilege authorized by a Parking Use Permit shall terminate two (2) years after the granting of such, unless the exercise of such

right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

Cessation: A Parking Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Parking Use Permit for one year or more in the continuous exercise in good faith of such right and privilege.

Extension: Parking Use Permit granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of such parking use permit.

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

#### **VIOLATIONS OF THESE CONDITIONS**

Violations of conditions required by this determination may constitute a misdemeanor or infraction under Section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation.

Violations of conditions required by this determination may be grounds for a revocation.

#### **REVOCATION, CONTINUING JURISDICTION**

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Parking Use Permits (individual cases heard and decided upon by the Planning Hearing Officer).

To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a Parking Use Permit at least ten (10) days notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

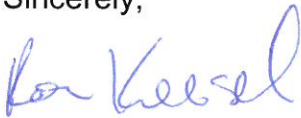


### NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner (Bradley Collin at 818-548-3210) first and then the Planning Hearing Officer who acted on this case.

This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Sincerely,



Roger Kiesel  
Planning Hearing Officer

CC: City Clerk (K.Cruz); Police Dept. (S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section- (J.Halpert); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaian); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Bradley Collin.